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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/996,329	11/28/2001	Vaughn Mower	SL-080;528-9769-US (PAR)	3583
7590	02/18/2005		EXAMINER WONG, LINDA	
Clarence A. Green Perman & Green, LLP 425 Post Road Fairfield, CT 06430			ART UNIT 2634	PAPER NUMBER

DATE MAILED: 02/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/996,329

Applicant(s)

MOWER ET AL.

Examiner

Linda Wong

Art Unit

2634

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 November 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-5,7,9-11 is/are rejected.
- 7) ☒ Claim(s) 2,6,8 and 12 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. **Claims 1 and 7** are rejected under 35 U.S.C. 103(a) as being unpatentable over Lazar (US Patent No.: 5818389) ~~disclosed~~ in view of Sugai et al. (US Patent No.: 5196720).
 - a. **Claim 1 and 7**, Lazar discloses a spectrum analyzer that analyzes an input signal (Fig. 1, label 36), a burst clamp, in the form of a low noise amplifier (LNA), which is used to "clamp the signal" to a lower level (some predetermined level) when the signal is above a threshold (Fig. 1, label 16 and Col. 2, lines 42-45) and a computer coupled to a spectrum analyzer. (Fig. 1, label 38 connected to label 36) The burst clamp disclosed by Lazar is coupled at its output to the spectrum analyzer. (Fig. 1, labels 16 coupled to label 36) Lazar inherently discloses the burst clamp activates the computer by teaching that the low noise amplifier (LNA) will clamp the signal when the average power level of the signal is found to be above a threshold and the computer will analyze the clamped signal. (Col. 2, lines 42-46 and Col. 4, lines 50 – 52) Lazar discloses a computer, Fig. 1, label 38, that performs computational signal analysis from the output of the spectrum analyzer. (Col. 4, lines 50-60) Although Lazar fails to teach the use of an AGC circuit to stabilize the burst clamp circuit, Sugai et al discloses an interference signal removing device that comprises of an AGC in a feedback loop, coupled to an adaptive interference suppression filter (AISF).

Notice the LNA, Fig. 1, label 16, disclosed by Lazar is equivalent to the AISF, Fig. 6, label 30, disclosed by Sugai et al because both AISF and LNA are used to reduce signal interference. It would be obvious to one skilled in the art to use an AGC circuit coupled to a LNA (burst clamp circuit) so as to stabilize the signal level of the circuit.

2. **Claims 3-5, 9-11** are rejected under 35 U.S.C. 103(a) as being unpatentable over Lazar (US Patent No.: 5818389) in view of Sugai et al. (US Patent No.: 5196720) further in view of Jagger et al. (US Patent No.: 6807405).

- a. **Claim 3-5, 9-11**, Although neither Lazar or Sugai et al fail to disclose a computer that determines the burst interference duration, repetition rate and duty cycles, Jagger et al discloses an invention that continuously scans the presence of interference, which comprises a computer, in the form of a cellular system manager, that computes the "time of occurrence, frequency and duration of the interfering signal presence." It would be obvious to one skilled in the art to compute these characteristics of the interference found to effectively eliminate such disturbance.

Allowable Subject Matter


2. **Claims 2, 6, 8, and 12** are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Linda Wong whose telephone number is (571) 272-6044. The examiner can normally be reached on 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Chin can be reached on (571) 272-3056. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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